

104TH CONGRESS
1ST SESSION

H. R. 978

To amend the formula for determining the Official Mail Allowance for Members of the House of Representatives; to amend the provisions of title 39, United States Code, relating to the franking privilege for Members of Congress and provide that the provisions of law preventing Members from sending mass mailings within the 60-day period immediately before an election be expanded so as to prevent Members from mailing any unsolicited franked mail within that period, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 16, 1995

Mr. BLUTE introduced the following bill; which was referred to the Committee on House Oversight and, in addition, to the Committee on Government Reform and Oversight, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the formula for determining the Official Mail Allowance for Members of the House of Representatives; to amend the provisions of title 39, United States Code, relating to the franking privilege for Members of Congress and provide that the provisions of law preventing Members from sending mass mailings within the 60-day period immediately before an election be expanded so as to prevent Members from mailing any unsolicited franked mail within that period, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. FORMULA FOR DETERMINING OFFICIAL MAIL**
4 **ALLOWANCE.**

5 Section 311(e)(2)(B)(i) of the Legislative Branch Ap-
6 propriations Act, 1991 (2 U.S.C. 59e(e)(2)(B)(i)) is
7 amended by striking “3” and inserting “1.5”.

8 **SEC. 2. TRANSFER OF CERTAIN FUNDS PROHIBITED.**

9 Section 101(c)(2) of the Legislative Branch Appro-
10 priations Act, 1993 (2 U.S.C. 95b(c)(2)) is amended by
11 striking “ “OFFICIAL MAIL COSTS”, ”.

12 **SEC. 3. EXPANSION OF RULE.**

13 Paragraph (6) of section 3210(a) of title 39, United
14 States Code, is amended to read as follows:

15 “(6)(A) It is the intent of Congress—

16 “(i) that a Member of, or Member-elect to, Con-
17 gress may not send any unsolicited franked mail
18 postmarked fewer than 60 days immediately before
19 the date of any primary election or general election
20 (whether regular, special, or runoff) in which the
21 Member is a candidate for reelection; and

22 “(ii) that a Member of, or Member-elect to, the
23 House of Representatives who is a candidate for any
24 other public office may not send—

1 “(I) any unsolicited franked mail for deliv-
2 ery within any portion of the jurisdiction of or
3 the area covered by the public office which is
4 outside the area constituting the congressional
5 district from which the Member or Member-
6 elect was elected; or

7 “(II) any unsolicited franked mail post-
8 marked fewer than 60 days immediately before
9 the date of any primary election or general elec-
10 tion (whether regular, special, or runoff) in
11 which the Member or Member-elect is a can-
12 didate for such office.

13 “(B) No Senator may send any unsolicited franked
14 mail postmarked fewer than 60 days immediately before
15 the date of any primary election or general election
16 (whether regular, special, or runoff) for any national,
17 State or local office in which such Senator is a candidate
18 for election.

19 “(C) For purposes of subparagraphs (A) and (B), if
20 mail matter is of a type which is not customarily post-
21 marked, the date on which such matter would have been
22 postmarked if it were of a type customarily postmarked
23 shall apply.

24 “(D) The Select Committee on Ethics of the Senate
25 and the House Commission on Congressional Mailing

1 Standards shall prescribe for their respective Houses rules
2 and regulations, and shall take such other action as the
3 Committee or the Commission considers necessary and
4 proper for Members of, and Members-elect to, Congress
5 to comply with the provisions of this paragraph. The rules
6 and regulations shall include provisions prescribing the
7 time within which mailings shall be mailed at or delivered
8 to any postal facility and the time when the mailings shall
9 be deemed to have been mailed or delivered to comply with
10 the provisions of this paragraph.

11 “(E) As used in this section, the term ‘mass mailing’
12 means, with respect to a session of Congress, any mailing
13 of newsletters or other pieces of mail with substantially
14 identical content (whether such mail is deposited singly
15 or in bulk, or at the same time or different times), totaling
16 more than 500 pieces in that session, except that such
17 term does not include any mailing—

18 “(i) of matter in direct response to a commu-
19 nication from a person to whom the matter is
20 mailed;

21 “(ii) from a Member of Congress to other Mem-
22 bers of Congress, or to Federal, State, or local
23 government officials; or

24 “(iii) of a news release to the communications
25 media.

1 “(F) Subparagraphs (A) through (D) shall not apply
2 with respect to any mailing which would satisfy clause (i),
3 (ii), or (iii) of subparagraph (E) (determined without con-
4 sideration as to the number of pieces in such mailing),
5 except that for purposes of this subparagraph, subpara-
6 graph (E)(i) shall not be considered satisfied if the mailing
7 is postmarked later than 60 days after the communication
8 (or latest communication) to which it responds.”.

9 **SEC. 4. VOTER REGISTRATION INFORMATION.**

10 Subparagraph (H) of section 3210(a)(3) of title 39,
11 United States Code, is repealed.

12 **SEC. 5. RETURN OF EXCESS AMOUNTS FROM OFFICIAL AL-**
13 **LOWANCES OF MEMBERS OF THE HOUSE OF**
14 **REPRESENTATIVES TO THE TREASURY FOR**
15 **DEFICIT REDUCTION.**

16 (a) IN GENERAL.—Notwithstanding any other law, or
17 any rule or other authority, any amount remaining in an
18 official allowance of a Member of the House of Represent-
19 atives at the end of the session of Congress or other period
20 for which the allowance is made available shall be returned
21 to the Treasury, to be used for deficit reduction.

22 (b) DEFINITIONS.—As used in this section—

23 (1) the term “Member of the House of Rep-
24 resentatives” means a Representative in, or a Dele-

1 gate or Resident Commissioner to, the Congress;
2 and

3 (2) the term “official allowance” means, with
4 respect to a Member of the House of Representa-
5 tives, the Official Mail Allowance.

6 **SEC. 6. EFFECTIVE DATE.**

7 This Act and the amendments made by this Act shall
8 take effect as of the beginning of the first Congress begin-
9 ning after the date of the enactment of this Act.

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